



REQUEST FOR PROPOSALS
TO PROVIDE DESIGN &
BUILD SERVICES FOR AN
INTERCITY TRANSIT
STATION

Advance Albany County Alliance Local Development Corporation
111 Washington Avenue, Suite 100, Albany, New York 12210

February 27, 2026

Intercity Transit Station RFP

Summary of Issuer

Governor Hochul along with County Executive Daniel P. McCoy have identified this site as part of the Governor’s \$200 Million, Championing Albany’s Potential initiative to construct an Intercity Transit Station enhancing the South End gateway into the City of Albany

The Developer of this critical project is the Advance Albany County Alliance Local Development Corporation (“Alliance”) a not-for-profit, corporation located in Albany, New York with the mission of increasing and diversifying economic activity throughout Albany County through the growth, expansion and attraction of business activity, promotion of strategic infrastructure projects and the active promotion of the County as a business-friendly location. It is apparent to the Albany County Executive Daniel P. McCoy that the current bus terminals located in downtown Albany are not up to the standards of the New York State Capital and the County of Albany. In direct support of the Alliance’s mission, the Alliance is issuing this Request for Proposals (“RFP”) seeking to engage a general contractor/architectural team for a design-build project (“Project”) to design and construct a new state-of-the-art Intercity Transit Station at the corner of Madison Avenue and South Pearl Street, and create a welcoming gateway into the City of Albany.

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1.0 General Information: The Alliance through this RFP is soliciting proposals from qualified construction, engineering & architectural teams experienced in working on projects utilizing a design-build structure, including Project approach, architecture, design and construction. It is desired by the Alliance that this RFP process will result in the Alliance selecting and contracting with a single respondent entity to complete the Project; however, each respondent to this RFP is expected to assemble and identify their complete team of entities and/or individuals who will be engaged by such RFP respondent to complete the Project.

The respondent selected pursuant to this RFP will work with the Alliance and support from related consultants to determine the final scope of the Project including the adaptive re-use of the existing 3,200 +/- sq ft structure into a state-of-the-art intercity bus terminal with a ticket window / kiosk, dedicated law enforcement presence, a driver's lounge, ADA compliant bathrooms and a street facing retail component with access from South Pearl Street and the terminal. The location of the Project is 106 South Pearl Street, Albany NY, a 1.55-acre site with a 3200 +/- sq ft structure, Tax Parcel 76.11-1-4. See Exhibit 1 ("Site Location Map") and Exhibit 2 ("Conceptual Design).

A signature gateway building design is required to establish a high-performance, context-sensitive intercity transportation terminal that meets both functional and urban-design objectives at this key point of entry into the City of Albany. The facility must incorporate an architecturally distinguished envelope that responds to site geometry, multimodal circulation patterns, security requirements, and long-term operational needs, while aligning with local design standards and the Alliances and the City's expectations for prominent gateway corridors.

The terminal's massing, structural systems, and façade elements should provide clear visual identity, support wayfinding, enhance passive surveillance, and integrate durable, low-maintenance materials suitable for heavy public use and extreme weather conditions. By delivering a building form that is both technically robust and visually prominent, the design will reinforce corridor legibility, improve transit user experience, and signal sustained public investment in high-quality mobility infrastructure.

The respondent selected pursuant to this RFP will be responsible for implementing and managing the local review approval process with all NYS and local authorities having jurisdiction.

Note that the Alliance intends to fully evaluate each respondent based on their respective written RFP proposal submitted; the Alliance will not conduct any oral presentations with RFP respondents. Based on this, RFP respondents should ensure that their written proposal is complete, meets all RFP requirements and contains any information which such respondent wishes the Alliance to consider.

Please also note that while the Alliance does not anticipate conducting oral interviews/presentations from the respondents (or any submissions beyond each respective respondent's written proposal), the Alliance reserves the right (following Alliance review of the submitted written proposals) to select a limited number of the RFP respondents whose submitted written proposals have been evaluated highest among the RFP respondents against the RFP scoring criteria) to make an oral presentation on their respective proposals to Alliance Staff.

Exhibit 1 – Site Location Map

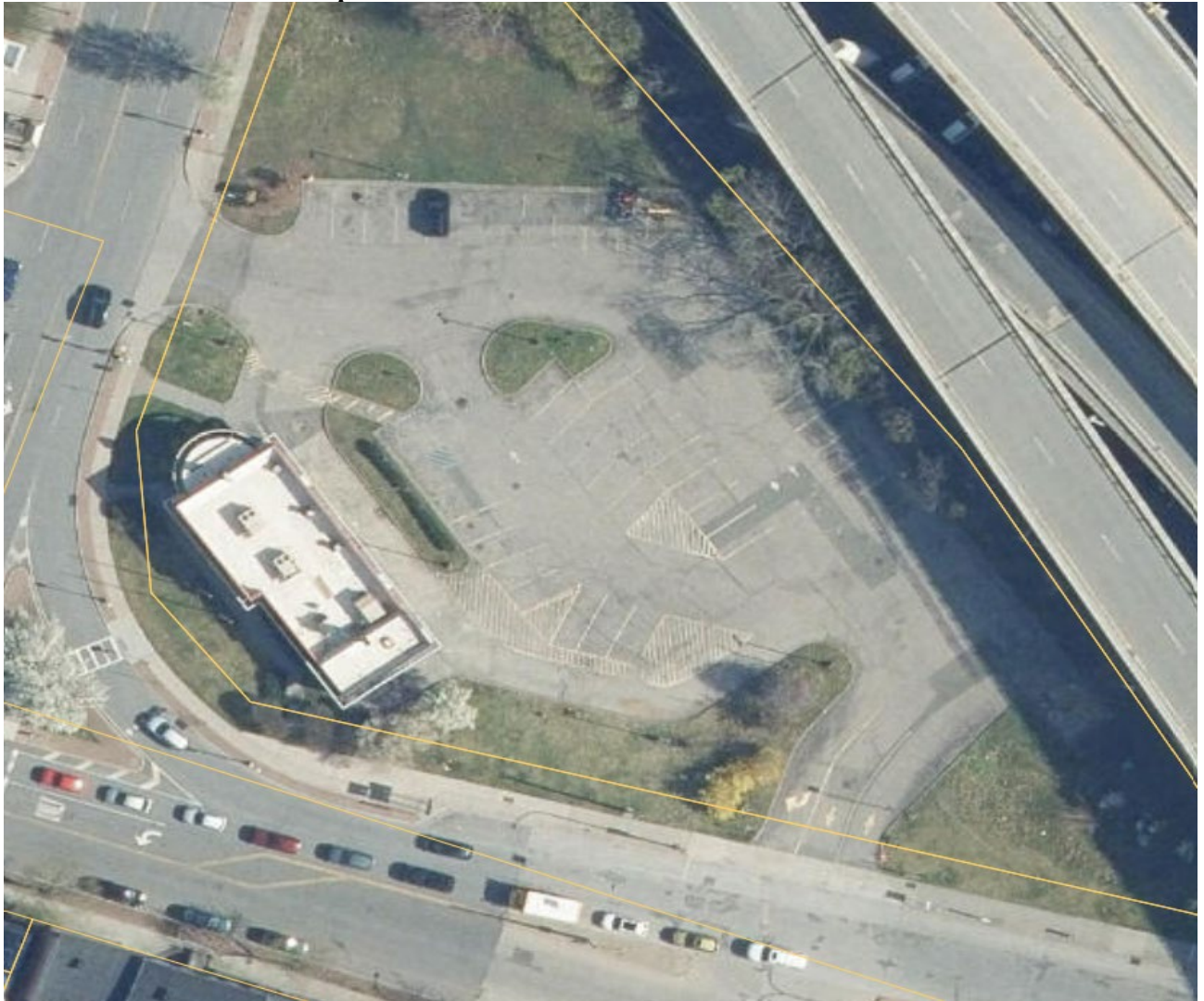
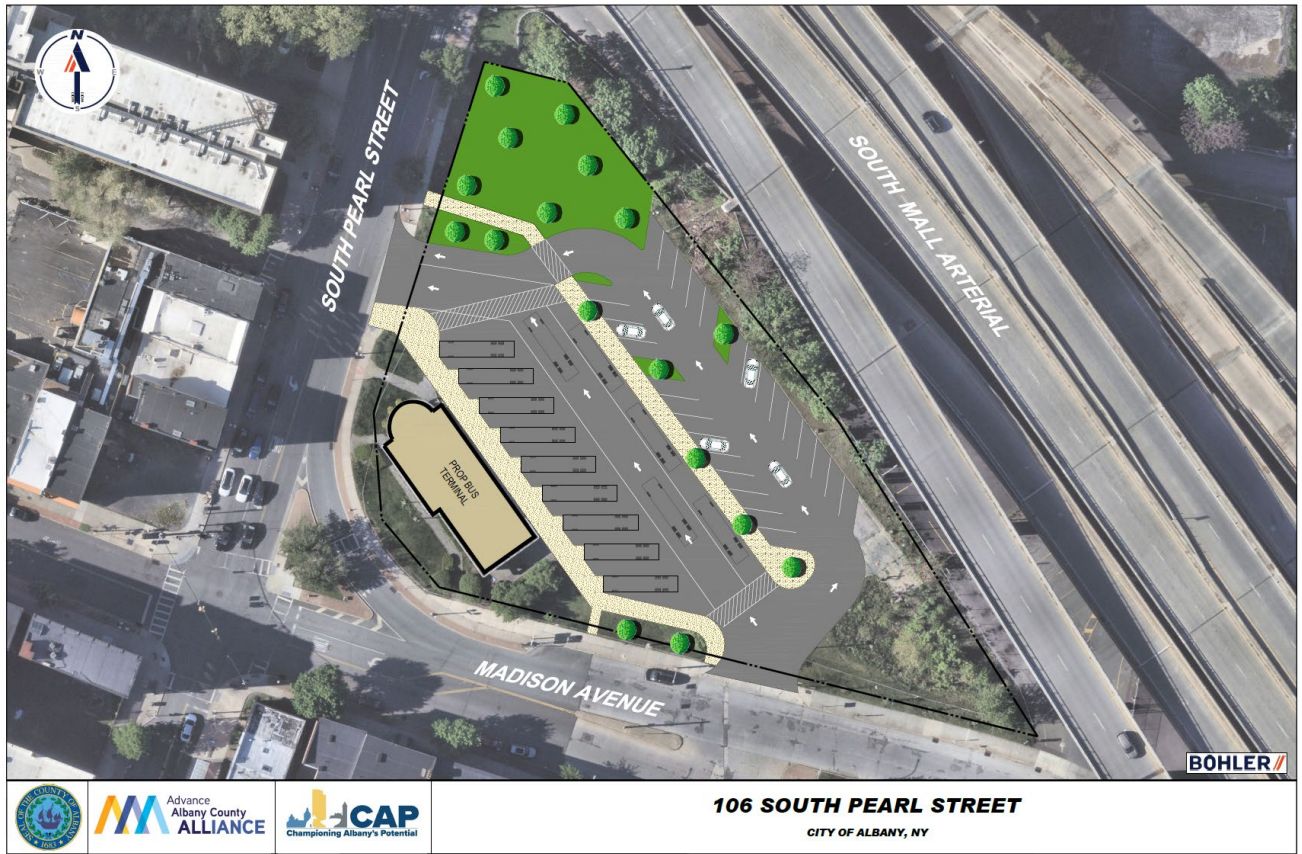


Exhibit 2 – Conceptual Design (for illustration only)



1.1 Project Objectives:

Create an architecturally distinguished signature gateway building that establishes a strong visual identity for the Madison Avenue and South Pearl Street corridor, supports efficient intercity transportation operations, and meets all functional, security, and durability requirements expected of a high-performance public facility.

- The design and constructed Project should allow for a ticket booth and kiosk (potential room for expansion), dedicated law enforcement presence, street facing retail presence, driver's lounge (with possible restroom, lockers and break amenities), ADA compliant restrooms and maintenance closet along with 8 – 12 bus slips with sufficient parking with dark-sky lighting to accommodate the travelers and local community including but not limited to EV Charging stations and secure bicycle racks.
- Provide a clean and safe terminal for passengers arriving to/departing from/connecting through Albany. The Project design should consider a canopy to cover passengers boarding and deboarding their bus.
- Deliver the Project within a negotiated/contracted budget and on an accelerated schedule, leveraging the design-build delivery method.
- Ensure compliance with any and all relevant federal, state, and local legal requirements, including but not limited to ADA Compliance, NYS prevailing wage requirements, required MWBE contract percentages, NYS bidder responsibility requirements, local zoning, building codes, and any transportation-specific regulations.

1.2 Project Status: The location is currently owned and controlled by 106 South Pearl Street LLC, which is a single-member limited liability company of which the sole member is the Alliance.

1.3 Contractors Project Scope:

1. Architectural, engineering and functional design is the top priority for the Project.
2. Structural engineering and inspection.
3. Project presenting, review and approval by all governmental/regulatory authorities having jurisdiction over the Project.
4. Design and construct State-of-the-art architecturally significant transit facility.
5. Site work/landscaping.
6. Inviting streetscape and improved connectivity as this site is the South End gateway to the City of Albany.
7. Mobility Hub Evaluation and Auto Turn Analysis

8. Traffic control devices (if required).
9. All municipal approvals including Albany County Planning Department review/approval and utility and building permits
10. Traffic access management plan.
11. Right-of-way details.
12. Signage.
13. Utilities / Infrastructure (and all matters relating to National Grid, City of Albany water/sewer and any other relevant Project utilities/infrastructure such as fiber and power).
14. Assist with public involvement, engagement and overall communication with the public and all levels of governmental involvement.
15. Quality assurance and quality control.
16. Construction engineering and inspection.
17. Overall Project management.
18. Project closeout including inspections, occupancy certification, and warranty management.

The Alliance is seeking respondents (including any entities/individuals who are part of a respondent's team) with expertise in several key areas: 1) experience in creating conceptual drawings/renderings of project sites and public use projects. 2) incorporate value design and engineer practices, using low cost, low maintenance features; 3) design service experience with transit terminals; 4) preliminary cost estimates. 5) constructing the Project starting with the adaptive re-use of the existing structure.

1.4 Design Build - Incorporate Value Engineering and Design principles: The selected respondent team will be responsible for designing the site, structure, and structure systems, managing the entire design-build process which will include, but is not limited to:

- Site assessment and master plan for the 1.55 acre site, including any required geotechnical and environmental studies.
- Conceptual and detailed design, in collaboration with architects and engineers. Create architectural drawings / Rendering of the site in the final Project for submission to the appropriate Planning Board and Design Review Board.
- Recognize this Project will be under great scrutiny from our residential neighbors and local and NYS government officials so there will be an emphasis on the architecture and design worthy of our Capital City and the ability to complete the Project in a timely manner and within budget.
- Permitting and regulatory approvals.
- Manage and present, if necessary, at all municipal approval entities (and any other government entities with relevant jurisdiction or oversight) meetings throughout the Project approval, construction, and turnover process.

- Site preparation, construction, and installation of all Project systems (structural, MEP, security).
- Project closeout, including inspections, occupancy certification, and warranty management.

1.5 Design and Construction Considerations: Below is a partial list of considerations the Alliance would like addressed in the Design-Build RFP, as well as coordination with CDTA Leadership:

A creative, innovative approach is encouraged.

On-Site Intercity Bus Operations: Provide sufficient bus staging, layover, and maneuvering capacity to support current and projected intercity service levels without operational conflicts, as well as a comprehensive bus circulation and traffic analysis, including swept-path modeling for 45-foot and 60-foot CDTA coaches (102-inch width), queue management, and conflict resolution at Madison Avenue and South Pearl Street. Design shall address driver relief and rest procedures, safe pedestrian separation between drivers and passengers, and compliance with anti-idling regulations. Shore-power or equivalent electrification solutions shall be evaluated to reduce emissions, noise, and fuel consumption during dwell times, with provisions for future electrified coach fleets.

Seating and Queuing Capacity: Design passenger seating and queuing areas to accommodate peak-hour demand and special event surges, with clearly delineated boarding lanes for multiple carriers. Seating layouts shall balance comfort, visibility, and circulation while preventing congestion, maintaining ADA clearances, and allowing flexible reconfiguration as service patterns change.

Intracity Bus Integration (Off-Site Stops): Provide safe, intuitive, and fully ADA-compliant pedestrian connections between the terminal and nearby intracity bus stops, including the existing CDTA Madison Staging Area (operators only). Improvements may include curb ramps, tactile warnings, crosswalk enhancements, signal timing adjustments, and wayfinding. Covered or weather-protected pedestrian routes should be provided where it is feasible to improve user experience, safety and operational efficiency.

Pavement Design for Heavy Axle Loads: Design pavement systems to withstand frequent heavy axle loads and turning movements from intercity and transit buses. Pavement sections shall include subgrade improvements, reinforced concrete bus pads at high-stress locations, joint detailing to prevent faulting, and materials resistant to rutting, freeze-thaw cycles, and snow-removal damage.

Canopy Height & Building Envelope: Provide canopy and structural clearances adequate for all anticipated vehicle types, including taller coaches where applicable. Design shall consider ice shedding, snow drift, wind loading, lighting placement, and sightlines for drivers and security.

Stormwater & Deicing Management: Design drainage systems capable of managing runoff from bus operations. Systems shall include oil-water separation where appropriate and be coordinated with Spill Prevention, Control, and Countermeasure (SPCC) requirements and local and state environmental regulations.

Paratransit, Taxis, TNCs & Micromobility: Provide clearly designated, well-signed pick-up and drop-off zones for paratransit, taxis, transportation network companies (Uber/Lyft), and micromobility users. include short-term parking for passengers, visitors, employees, and service vehicles as appropriate, as well as safe and secure bicycle parking and bike-sharing accommodation (including CDPHP Cycle! and FLEX micromobility systems).

CDTA Operations: Coordinate closely with CDTA to determine optimal bus stop placement within or adjacent to the facility.

Baggage Handling: Provide dedicated baggage handling spaces, including storage rooms or lockers, scales, and staging areas that support efficient passenger processing while maintaining security and clear circulation paths.

Customer Service & Ticketing: Design accessible, technology-ready ticketing and customer service areas, including counters with compliant heights, hearing loops, public address integration, and space for a CDTA sales office.

Climate Control: Provide vestibules, air curtains, and HVAC zoning tailored to distinct functional areas (waiting, retail, staff, operations). Systems shall balance passenger comfort, energy efficiency, and resilience during extreme weather conditions.

Comprehensive ADA Compliance: Ensure full ADA compliance throughout the facility, including tactile and braille signage, detectable warnings, high-contrast and intuitive wayfinding, non-glare finishes, intelligible PA systems, and continuous accessible routes from curb to gate.

Security Technology: Provide an integrated security system, including comprehensive CCTV coverage, video analytics, emergency call stations, access control for staff-only areas, panic buttons, and duress alarms.

Law Enforcement Presence: Provide a dedicated space sized and configured to accommodate a future law enforcement or public safety presence. Space shall be designed for easy retrofit, with appropriate utility and security rough-ins.

Emergency Power: Provide generator or battery backup systems to support critical operations, including PA systems, lighting, access control, IT infrastructure, and egress signage. Systems shall be designed for cold-weather reliability and extended outage scenarios.

Evacuation & Severe Weather Protocols: Design and document evacuation, shelter-in-place, and continuity-of-operations strategies for snow emergencies including snow clearing procedures, heat advisories, and poor air quality events. Design shall support safe passenger holding and communication during service disruptions.

Janitorial & Waste Management: Provide adequate janitorial and waste management infrastructure, including trash compactors, recycling areas, pest management provisions and custodial storage rooms with mop sinks and secure chemical storage.

Sustainable Materials & Durability: Require a life-cycle cost analysis as a design deliverable. Materials shall be durable, low-maintenance, and resistant to heavy public use, including anti-graffiti coatings, impact-resistant finishes, and anti-riot/laminated safety glazing where appropriate.

Maintainability Review: Design shall prioritize long-term maintainability, including clear access to valves, filters, and panels; use of standardized components; protective finishes; and documentation supporting efficient operations and maintenance over the facility's life cycle.

1.6 Green Building Elements: the Alliance desires to include all prudent Green Building Initiatives and sustainable energy generation.

2.0 Submittal Proposal Document: The submittal must include the following information:

- 2.1 Letter of introduction:** A letter of introduction signed by the principal(s) of the respondent firm indicating a willingness and capacity to commit appropriate time and resources to this Project.
- 2.2 Team Members:** List of all team members (i.e., architects, engineers, contractor(s), etc.), being proposed to work on this Project. For each member of respondent's team, include: (1) name of principal(s) or key associate(s) who will work on this Project; (2) primary contact information, including name, mailing addresses, e-mail addresses and telephone numbers for each team member. The inclusion of a résumé or curriculum vitae of each team member is preferred.
- 2.3 Design-Build Experience:** Provide three (3) projects utilizing this structure highlighting their success utilizing the "design-build" process.
- 2.4 Transportation Terminal Experience:** List and describe successfully completed transportation terminal projects or projects of similar size and scope previously undertaken by your firm and/or the proposed team members. The selected projects should demonstrate expertise in adaptive re-use development, state-of-the-art design concepts, sustainable and green design, integration of architecture with the natural environment, efficient and fiscally responsible design, and the ability to work with a broad range of end users and community partners to achieve an optimum product. Experience with transit and bus facilities is preferred.
- 2.5 Time Requirements:** Please provide an estimate of the time required, in weeks, to complete the Project as outlined.
- 2.6 References:** Please provide minimum of three (3) references from design-build projects (if possible, transportation-based projects) clients with whom the respondent has had relevant experience, including contact names, mailing and e-mail addresses, and telephone numbers.

- 2.7 Cost Portion of the Proposal:** Each proposal shall contain
- A guaranteed maximum price (GMP) for the Project based on the provided scope
 - A breakdown of costs by major Project phase (e.g., design, site work, construction).
 - Assumptions and exclusions, if any.

As noted below in section 4.0 (RFP Evaluation Criteria), cost is not the only RFP Evaluation Criteria (or the most heavily weighted).

3.0 RFP Proposal Guidelines; RFP Schedule

- 3.1 Format:** The format of the proposal should follow the outline above and should ensure that all requirements are met.
- 3.2 RFP Questions:** The designated point of contact for this RFP is Kevin Catalano (“Designated POC”). Any and all questions on the RFP or the Project shall be sent in writing via email not later than 4pm, March 10, 2026 to the Designated POC at kcatalano@advancealbanycounty.com. All questions submitted shall be answered and posted on the Alliance website for all respondents to view (no identify of questioners will be posted).
- 3.3 Submission of Proposals:** Five (5) copies of your proposal must be received by the Alliance not later than 4:00pm on March 20, 2026. Late submittals will not be accepted or considered; any late submittals will be rejected. Electronic submissions of proposals are acceptable and may be emailed to the address below.

Submit all materials to:

Kevin Catalano, Senior Vice-President
 Advance Albany County Alliance, LDC
 111 Washington Ave, Suite 100
 Albany NY 12210

E-mail: kcatalano@advancealbanycounty.com

- Each proposal submitted will be the document upon which the Alliance will make its final judgement regarding each proposer’s qualifications, methodology, and ability to provide the requested services.
- Those submitting proposals do so entirely at their own expense. There is no express or implied obligation by the Alliance to reimburse any entity, firm, or individual for any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the Alliance, or participating in any selection interviews.
- Submission of any proposal indicates an acceptance of the conditions contained in this RFP unless the submitted proposal clearly and specifically states otherwise.

- The Alliance reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities, require supplemental statements or information from any respondent, negotiate potential contract terms with any respondent to this RFP, have discussions with any respondent to this RFP, to correct and/or clarify responses which do not conform to the instructions contained herein and to disregard all non-conforming, non-responsive or conditional proposals.
- The Alliance reserves the right to award the services, in whole or in part, to one or more entities, firms and/or individuals.
- Any RFP award shall be conditioned on the later execution of a formal written contract. The Alliance reserves the right to revoke or rescind any award at any time prior to the full execution of a formal written contract.
- All proposals, documentation and information submitted in response to this RFP are to be the sole property of the Alliance and shall be subject to the provisions of New York State Freedom of Information Statute (“FOIL”) which generally mandates the disclosure of documents in the possession of the Alliance upon the request of any person unless the contract of the document falls under a specific exemption to disclosure.. Reports and materials developed by the successful respondent under a contract that may result from this RFP are considered public information and may not be copyrighted.

3.4 RFP Schedule (subject to change; any party interested in potentially responding to this RFP should check the Alliance website daily for any updates to the below schedule as any schedule changes will be made publicly via the Alliance website at: AdvanceAlbanyCounty.com

RFP Issued:	February 27, 2026
Site Tour:	March 5, 2026 12:00PM – 3PM
Questions Due:	March 10, 2026 4:00PM
Proposals Due:	March 20, 2026 4:00PM
RFP Award:	April 3, 2026 (any RFP award is only tentative until a final contract has been fully executed by the Alliance and any potential RFP awardee)

4.0 RFP Evaluation Criteria: Proposals will be reviewed and scored against the following weighted RFP Evaluation Criteria:

RFP Evaluation Criteria	Weighting
Experience in the design and construction of a creative, innovative, and welcoming city gateway project will be the highest priority of the Alliance and therefore will weigh heavily in the scoring matrix. Proposals should include renderings, drawings, and/or concepts	25%
Ability of the respondent to successfully demonstrate a history of similar projects that meet the criteria noted in section 2.3 & 2.4 above.	15%
Ability to complete the Project in an expedited timeframe	25%
Quality of professional experience and background of individual Project team members	15%
Cost Estimate (note that cost is not the only evaluation criteria used in determining any potential award)	20%

5.0 Respondent Interviews/Oral Presentations (only if determined by the Alliance to be necessary in its sole discretion): The Alliance may or may not choose to conduct oral presentations/interviews with one or more respondents. If oral presentations are conducted, such presentations are fact-finding and explanation sessions only and do not include negotiations. If the Alliance determines such presentations are necessary, the Alliance will schedule the time and location of these presentations/interviews.

6.0 Site Tours: As access to the Project site is limited, the Alliance will conduct a walking tour of the site on March 5, 2026 at 12PM – 3PM. Any respondent wishing to attend this tour of the Project site shall email the Designated Point of Contact, Mr. Kevin Catalano at kcatalano@advancealbanycounty.com NLT March 4, 2026, 12PM with the names of the individuals attending and the entity such individuals represent.

7.0 Regulations, Licensing, and other Requirements: Respondents, their staff, and subcontractors shall comply with all laws, ordinances, and regulations applicable to the Project and services contemplated herein, including those applicable to conflict of interest. Respondents are presumed to be familiar with all Federal, State, and Local laws, ordinances, codes, rules, and regulations that may affect the Project or services to be provided.

8.0 Equal Employment Opportunity; Participation by MBE, WBE and SDVOB Businesses: Respondents agree that there will not be discrimination as to age, religion, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence regarding employment, work, and services performed under the terms of any contract ensuing from this RFP. Minority Business Enterprises (MBE), Woman Business Enterprises (WBE) and New York State Service-Disabled Veteran-Owned Businesses (SDVOB) are to be afforded the maximum opportunity to participate in the Project.

9.0 Prevailing Wages: This Project shall be performed in accordance with Article 8 of the New York Labor, including the payment of Prevailing Wage Rates for the State of New York as specified in the relevant wage schedules issued by the NYS Department of Labor. The project is located within Albany County. The respondent awarded the RFP warrants to comply with all relevant legal requirements, including but limited to the required submission and retention of certified payroll records by awarded contractor and any of its subcontractors.

10.0 Insurance Requirements:

The awarded respondent and their co-applicants/contracted partners on the Project will be required to procure and maintain at their own expense insurance coverage for the below liabilities/amounts:

Workers' Compensation and Employers' Liability Insurance: Must show evidence of Workers' Compensation insurance at the statutory required amounts a policy or policies providing protection for employees in the event of job-related injuries.

Commercial General Liability (CGL): A policy or policies for comprehensive general liability insurance written on an occurrence basis with limits of not less than:

- \$4,000,000 GENERAL AGGREGATE LIMIT (OTHER THAN PRODUCTS-COMPLETED OPERATIONS)
- \$4,000,000 PRODUCTS-COMPLETED OPERATIONS AGGREGATE LIMIT
- \$2,000,000 PERSONAL AND ADVERTISING LIABILITY
- \$2,000,000 EACH OCCURRENCE LIMIT
- \$1,000,000 FIRE LEGAL LIABILITY
- \$10,000 MEDICAL EXPENSE LIMIT (EACH PERSON)
- \$1,000,000 EMPLOYEE BENEFIT LIABILITY

Errors and Omissions/Professional Liability Insurance: A policy or policies of errors and omissions insurance with limits of not less than one million dollars per occurrence (\$1,000,000).

Automobile Liability Insurance: A policy or policies of comprehensive automobile liability insurance with limits of not less than \$1,000,000 for each accident because of bodily injury, sickness, or disease, including death at any time, resulting therefrom, sustained by any person caused by accident; and a policy or policies with limits for not less than \$1,000,000 for damage because of injury to the destruction of the including the loss of use thereof caused by accident and arising out of the ownership, maintenance, or use of any automobiles, including owned, non-owned, and hired.

Excess/Umbrella Insurance: A policy of policies of insurance with limits no less than which shall apply to both the CGL and Automobile Liability coverages:

- \$5,000,000 PER OCCURRENCE
- \$5,000,000 ANNUAL AGGREGATE

Each policy of insurance required shall be in form and content satisfactory to the Alliance, and shall provide that:

- 106 South Pearl Street LLC and Advance Albany County Alliance Local Development Corporation shall be named as certificate holders and additional insureds on a primary and non-contributing basis. An ACORD document evidencing such coverage shall be provided prior to Project commencement.
- The insurance policies shall not be changed or cancelled until the expiration of thirty (30) days after written notice to the Alliance.

No work shall be commenced under the contract until the selected proposer has delivered to the Advance Albany County Alliance proof of issuance of all policies of insurance required by the Contract to be procured by the selected proposer. If at any time, any of said policies shall be or become unsatisfactory to the Alliance, the selected proposer shall promptly obtain a new policy and submit proof of insurance of the same to the Alliance for approval. Upon failure of the selected proposer to furnish, deliver and maintain such insurance as above provided, this Contract may, at the election of the Alliance, be forthwith declared suspended, discontinued or terminated. Failure of the selected proposer to procure and maintain any required insurance shall not relieve the selected proposer from any liability under the Contract, nor shall the insurance requirements be constructed to conflict with the obligations of the selected proposer concerning indemnification.

Said insurance must be issued by an insurer licensed to do business in the State of New York and must have an A.M. best rating of not less than "A".

11.0 Indemnification: The contract awarding any and all work from this RFP shall provide that each and every contractor (as used in this paragraph the term "contractor" shall include any and all subcontractors) shall defend, indemnify, and save harmless 106 South Pearl Street LLC, Advance Albany County Alliance Local Development Corporation, their agents, officers, directors, employees and subcontractors, from and against any and all liability, loss, or other claim for damages for death, bodily injury, or property damage, or of any other kind of nature, related to or arising out of the performance of the work by the contractor or any agent, servant, employee, subcontractor, or supplier of the contractor, or of any failure to perform the work, or arising in any way as a result of the contractor's activities or omissions related to the Project all to the fullest extent allowed by law.

12.0 Non-Collusive Proposal Certificate and Acknowledgement: Each proposer shall complete and submit with its, his, or her proposal the "Non-Collusive Proposal Certificate" and the "Acknowledgment" included with this RFP at Exhibit A.

- 13.0 Bidder Responsibility and New York State Finance Law §§139-j And 139-k:** Pursuant to State Finance Law §§139-j and 139-k, this request for proposals (“RFP”) includes and imposes certain restrictions on communication between the Alliance (also referred to as the “Authority”) and a respondent during the procurement process. A respondent is restricted from making contacts from the earliest notice of intent to solicit offers (in this instance, the release of this RFP) through final award and approval of the resultant contract by the Authority (“restricted period”) to other than designated individuals unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a).

Note that only email questions/inquiries are allowed. The designated individual for this RFP is Clayton Besch of the Alliance at cbesch@advancealbanycounty.com.

Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Respondent pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4-year period, the Respondent is debarred from obtaining governmental Procurement Contracts. Additionally, the above law requires certain affirmations to be provided to the Authority by respondents and that certain provisions be contained within any contract/award resulting from this RFP. Specifically, the following forms/information are provided at Exhibits B-1, B-2, B-3:

1. The Authority must obtain from all Respondents the required affirmation (“**Compliance with NYS Finance Law §139-j**”) of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible Contacts in the restricted period for a procurement contract in accordance with State Finance Law §§139-j and 139-k. The affirmation is provided with this RFP and must be completed and returned to the Authority when submitting a bid.

2. The Authority must include a disclosure request (“**Offeror Disclosure of Prior Non-Responsibility Determinations**”) regarding prior non-responsibility determination in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The required form is provided with this RFP and is to be completed and returned to the Authority when submitting a bid.

3. The Authority must obtain from all Respondents a required certification (“**Respondent Certification**”) that the information is complete, true and accurate regarding any prior findings of non-responsibility, such as non-responsibility pursuant to State Finance Law §139-j. The Respondent must agree to the certification and provide it to the procuring Government Entity. This certification is provided with this RFP and must be completed and returned to the Authority when submitting a bid.

4. New York State Law §139-k (5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j shall contain a provision authorizing the Authority to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. An example of such language is provided below:

The Authority reserves the right to terminate this contract in the event it is found that the certification filed by the Respondent in accordance with New York State Law §139-k was intentionally false or intentionally incomplete. Upon such findings, the Authority may exercise its termination right by providing written notification to the Respondent in accordance with the written notification terms of this contract.

EXHIBIT A

NON-COLLUSION PROPOSAL CERTIFICATE
PURSUANT TO NEW YORK STATE PUBLIC AUTHORITY LAW § 2878

By submission of this bid, each respondent and each person signing on behalf of any respondent certifies, and in the case of a joint bid each party thereto, certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in the bid have been arrived at independently, without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other proposer or with any competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the proposer and will not knowingly be disclosed by the proposer prior to the opening, directly or indirectly, to any other proposer or to any competitor; and
- (3) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

(date)

(signature)

(printed name and title)

(name of firm)

STATE OF _____)
 COUNTY OF _____) SS:

On the __ day of _____, 2025, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this document and acknowledged to me that he/she executed the same in his/her capacity and that by his/her signature, the individual or the person/entity upon behalf of which the individual acted, executed this document.

Notary Public

EXHIBIT B-1

Compliance with NYS Finance Law §139-j

Offeror affirms that it understands and agrees to comply with the procedures of the Alliance relative to permissible Contacts as required by State Finance Law §139-j.

By: _____ Date: _____
Signature

Name: _____

Title: _____

Contractor Name: _____

EXHIBIT B-2

Offeror Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Date: _____

A. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No Yes

B. If yes, please answer the following questions: Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j? (Please circle):

No Yes

C. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No Yes

D. If you answered yes to questions A thru C, please provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-Responsibility: _____

(Add additional pages as necessary)

E. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No Yes

F. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

EXHIBIT B-3

Respondent Certification

I certify that all information provided to the Alliance with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____

Title: _____

Respondent Name: _____

RFP Attachments

1. Phase 1 Environmental Site Assessment completed by PS Property Solutions, Inc. Dated May 1, 2024
2. Building Footprint

Utilities to the Property (Bidder should confirm):

600-amp, 208 V/3-Phase electrical Service

National Grid Gas service

City of Albany - Department of Water

Possible subsurface grease trap from former McDonalds located on the site